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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/767,683

01/29/2004

Alan C. Davis

DP-309447

5594

22851

7590

12/18/2006

DELPHI TECHNOLOGIES, INC.

M/C 480-410-202

PO BOX 5052

TROY, MI 48007

EXAMINER

FLEMING, FAYE M

ART UNIT

PAPER NUMBER

3616

DATE MAILED: 12/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/767,683

Applicant(s)

DAVIS ET AL.

Examiner

Faye M. Fleming

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-12 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 7, 13-16, 18 and 19 is/are rejected.
- 7) ☒ Claim(s) 4, 6, 8, 17 and 20-22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The indicated allowability of claims 3, 5, 7, 8, 13 and 19 is withdrawn in view of the newly discovered reference(s) to U. S. Patent 6, 225,582 to Stadler, et al., U. S. Patent 6,419,270 to Boyle, III, et al. and U.S. Patent 6,857,498 to Vitale, et al. Rejections based on the newly cited reference(s) follow.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stadler, et al. (6,225,582) in view of Boyle, III, et al. (6,419,270).

Stadler discloses a steering column assembly comprising a steering column 1 having a connection for receiving a steering wheel; a steering column support (not shown); at least one electrical device for an operator to control the vehicle; and an on-board processor 4, 8 for receiving and consolidating signals from the electrical devices and having an electrical outlet for connection to a vehicle communications bus 12 for sending data to and from the vehicle communications bus 12.

Stadler teaches the claimed invention except for a column support wherein a control pedal is pivotally supported by the column. Boyle, III teaches an integrated steering column and pedal mounting system having a column support 14, 16. Based on the teachings of Boyle, III, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the assembly of Stadler to include an column support having the steering column and the pedal mounting integrated to reduce the

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complicity of manufacturing and assembly of conventional steering column support systems. With respect to the pedal being an accelerator pedal it would be obvious to one having ordinary skill in the art at the time the invention was made to provide an additional pedal, that is an accelerator pedal, to move the vehicle.

4. Claims 7, 13-16, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stadler, et al. (6,225,582) in view of Vitale, et al (6,857,498).

Stadler teaches the claimed invention except for a display for displaying data. Vitale discloses a console with a driver's interface comprising a display 86 electrically connected to an on-board processor for displaying the data. As shown in the drawings, Vitale teaches a bracket supporting the display. Based on the teachings of Vitale, it would be obvious to one having ordinary skill in the art at the time the invention was made to modify the assembly of Stadler to have a display to provide information to the driver. With respect to claim 13, inherently the ignition switch is connected to the on-board processor. At least one electrical device includes a steering sensor electrically connected to the on-board processor for sensing the rotational movement of the steering wheel (col. 7, lines 59-65). Stadler teaches at least one electrical device includes a turn signal switch electrically connected to the on-board processor, a windshield wiper switch for controlling a windshield wiper and etc. which inherently could be a cruise control switch (col. 7, lines 59-65).

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stadler, et al. (6,225,582) in view of Vitale, et al (6,857,498), further in view of Ryner (6,491,322).

Stadler in view of Vitale teaches the claimed invention except for a knee bolster. Ryner discloses an energy absorbing bracket assembly 20 for a vehicle knee bolster 22. Based on the teachings of Stadler in view of Vitale, it would be obvious to one having ordinary skill in the art at the time the invention was

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made to modify the combination of Stadler and Vitale to have a knee bolster to protect an occupant knees upon a collision.

***Allowable Subject Matter***

6. Claims 9-12 are allowed.

7. Claims 4, 6, 8, 17 and 20-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye M. Fleming whose telephone number is (571) 272-6672. The examiner can normally be reached on M-F (9:00-5:00).

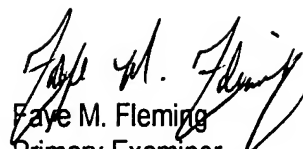
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Faye M. Fleming  
Primary Examiner  
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12/11/2006